

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Elisa Vitale, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: November 21, 2018
SUBJECT: BZA Case 19881, 3714 S Street, NW, to permit construction of a two-story addition that extends more than 10 feet beyond the adjoining property.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception relief:

- Subtitle D § 1206.4, pursuant to Subtitle X § 901.1 (an addition may not extend beyond 10 feet past the rear wall of an adjoining building; an addition extending 30 feet past the rear wall of the adjoining building proposed).

II. LOCATION AND SITE DESCRIPTION

Address	3714 S Street, NW
Applicant	Sullivan & Barros, LLP on behalf of Luis Colemenares, Owner.
Legal Description	Square 1308S, Lot 47
Ward, ANC	2 / 2E
Zone	The R-20 zone is intended to retain and reinforce the mix of detached, semi-detached and attached dwellings and permit attached row houses on small lots. The R-20 zone includes areas where attached houses are mixed with detached houses and semi-detached houses.
Historic District	Not applicable.
Lot Characteristics	The rectangular property measures 18.25 feet in width and 125 feet in depth. The property is bound by S Street, NW to the north, adjoining lots to the east and west, and improved 20-foot wide public alley to the south.
Existing Development	The property is developed with a two-story row building that is being used as a one-family dwelling.
Adjacent Properties	The adjoining lots are developed with residential row buildings in the R-20 zone.
Surrounding Neighborhood Character	The surrounding neighborhood is mainly residential in character. The Georgetown University campus is to the south and west and the Duke Ellington School of the Arts is to the southeast.

Proposed Development	The Applicant is proposing to construct a two-story rear addition.
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III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone – R-20	Regulation	Existing	Proposed ¹	Relief
Height D § 1203	35 ft. max.	26 ft. 4 in.	26 ft. 4 in.	None Required
Lot Width D § 1202	20 ft.	18.25 ft.	18.25 ft.	Existing Nonconforming
Lot Area D § 1202	2,000 sq. ft. min.	2,281 sq. ft.	2,281 sq. ft.	None Required
Lot Occupancy D § 1204	60 % max.	30.5 %	45.5 %	None Required
Rear Yard D § 1206	20 ft. min.	57 ft.	37 ft.	None Required
Rear Yard Extension D § 1206.4	10 ft. max.	10 ft.	30 ft.	Requested
Front Setback D § 1205	Within range of existing front setbacks	30 ft.	30 ft.	None Required
Side Yard D § 1207	Not required	N/A	N/A	None Required
Parking C § 701	1 space	1 space	1 space	None Required

IV. OFFICE OF PLANNING ANALYSIS

a. Special Exception Relief from Subtitle D § 1206.4

5201.1 The Board of Zoning Adjustment may approve as a special exception in the R zones relief from the following development standards of this subtitle, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9:

- (a) Lot occupancy;*
- (b) Yards;*
- (c) Courts;*
- (d) Minimum lot dimensions;*
- (e) Pervious surface; and*
- (f) The limitations on enlargements or additions to nonconforming structures as set forth in Subtitle C § 202.2.*

The Applicant has requested relief from the rear yard extension provisions of D § 1206.4, which states that an addition may not extend beyond 10 feet past the rear wall of an adjoining property. The subject property extends 10 feet beyond the adjoining properties and the Applicant is proposing a 20-foot deep addition, which would result in the building extending 30 feet beyond the rear wall of adjoining properties.

¹ Information provided by the Applicant, Exhibit 10, September 19, 2018.

5201.2 *Special exception relief under this section is applicable only to the following:*

- (a) An addition to a residential building;*
- (b) A new or enlarged accessory structure that is accessory to such a building; or*
- (c) A reduction in the minimum setback requirements of an alley lot.*

The Applicant is proposing an addition to an existing residential building.

5201.3 *An applicant for special exception under this section shall demonstrate that the proposed addition or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:*

- (a) The light and air available to neighboring properties shall not be unduly affected;*

The proposed addition should not have an undue impact on the neighboring houses. The Applicant submitted a shadow study (Exhibit 11), which shows that the addition would have some impact on sunlight to the neighbors' rear yards, in the morning and afternoon, but the impact would not be undue. Both neighboring properties should receive adequate air flow because, even with the proposed addition, the property's rear yard would still exceed the 20-foot rear yard requirement.

- (b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;*

The proposed addition should not unduly compromise the privacy and enjoyment of the neighboring properties. The addition would not include windows facing the adjacent neighbors. The Applicant is proposing a first-floor deck that would measure seven feet in depth, at the deepest point.

Both adjacent neighbors submitted letters in support of the project (Exhibits 12 and 17).

- (c) The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the subject street frontage;*

The Applicant is not proposing to alter the front façade of the house, which is visible from S Street, NW. The proposed rear addition would maintain the two-story character of the neighborhood and should not substantially visually intrude on the view from the alley. The proposed addition would have a similar appearance to neighboring houses on S Street, NW and the window and door patterns would be in keeping with the neighborhood. Therefore, the proposed addition should not have a substantial visual impact in the rear along the alley.

- (d) In demonstrating compliance with paragraphs (a), (b), and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways; and*

The Applicant provided plans, elevations and sections (Exhibit 9), as well as photographs (Exhibit 8) to depict the proposed addition.

(e) The Board of Zoning Adjustment may approve lot occupancy of all new and existing structures on the lot up to a maximum of seventy percent (70%).

The proposed lot occupancy would be 45.5%.

5201.4 The Board of Zoning Adjustment may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.

No special treatment is recommended for this proposal.

5201.5 This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.

The proposal would not introduce or expand a nonconforming use.

5201.6 This section shall not be used to permit the introduction or expansion of nonconforming height or number of stories as a special exception.

The Applicant is not proposing to increase the height of the building, which is within the 35-foot maximum height permitted.

V. COMMENTS OF OTHER DISTRICT AGENCIES

Comments from other District agencies had not been filed at the time this report was written.

VI. COMMUNITY COMMENTS TO DATE

ANC 2E voted 7-0-0 to support the addition at its October 29, 2018 regularly scheduled public meeting and noted concerns about the depth of the proposed addition.

JL/emv

Attachment: Location Map

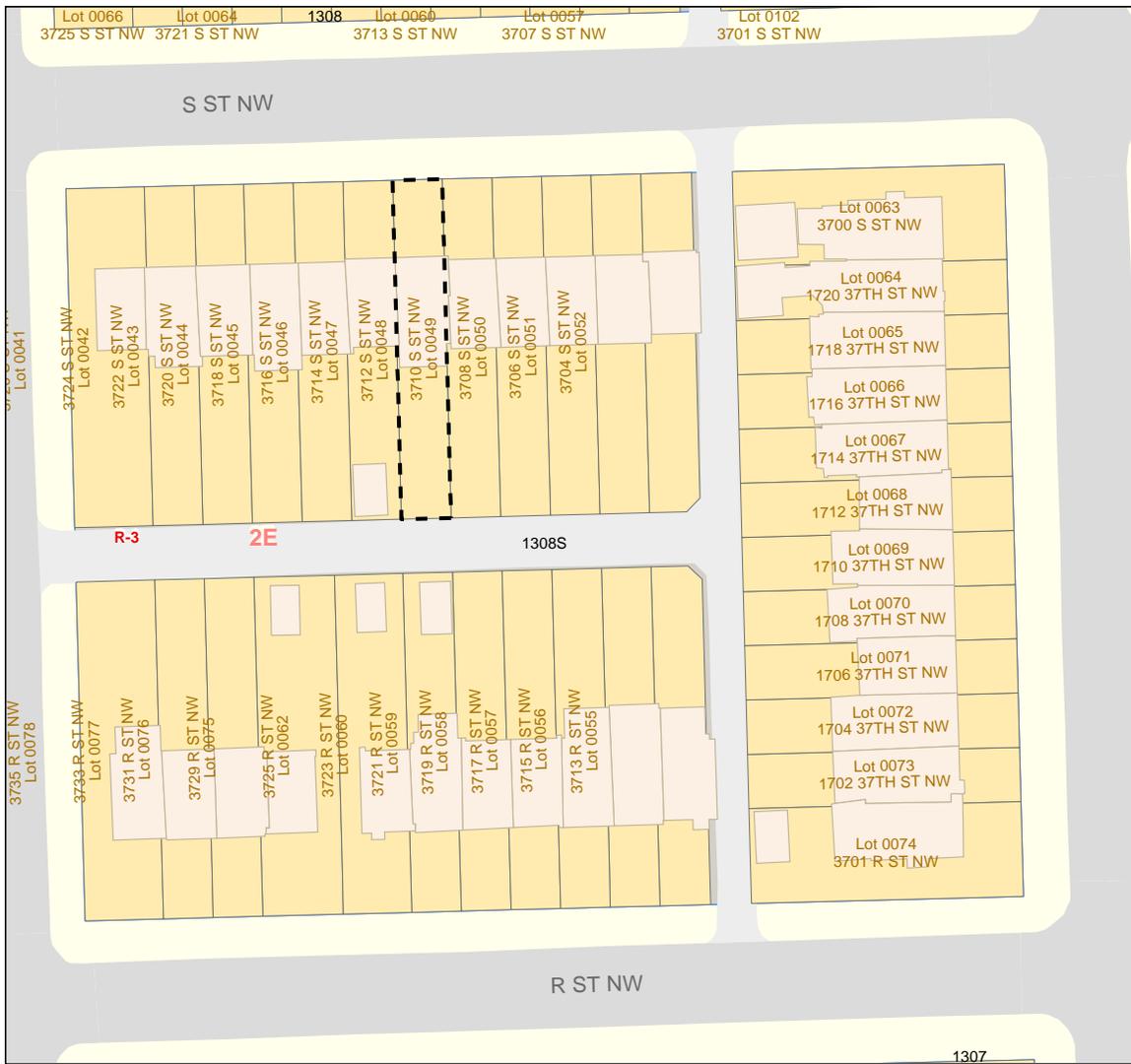


Figure 1: Location Map, 3714 S Street, NW